

EX PARTE OR LATE FILED

DOCKET FILE COPY ORIGINAL

REED SMITH SHAW & McCLAY

1200 18TH STREET, N.W.

WASHINGTON, D.C. 20036

202-457-6100

FAX 202-457-6113

WRITER'S DIRECT DIAL NUMBER

(202) 457-8646

PITTSBURGH, PA
PHILADELPHIA, PA
HARRISBURG, PA
McLEAN, VA
PRINCETON, NJ

December 12, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

RECEIVED

DEC 12 1994

Re: Ex Parte Submission
PR Docket No. 93-61

Dear Mr. Caton:

The undersigned are representatives of the majority of wideband LMS participants in the LMS rulemaking proceeding and are filing the original and one copy of this written ex parte communication pursuant to Section 1.1206(a)(1) of the Commission's Rules.

In connection with the issues regarding transition period and offered LMS services, the undersigned participants in the proceeding urge the Commission to adopt its final rules incorporating provisions consistent with the following:

Transition Period:

1. Current licensees should be permitted during a period of eighteen (18) months following the effective date of the rule to construct systems for existing licenses consistent with prior Commission practice. Prior Commission practice was to permit construction not only at the designated locations of the initial license but to issue modifications of such licenses for change of tower location and additional tower locations within the radius of operation as defined in the license.
2. When a system is built out during that period pursuant to Section 90.155, the licensee shall be grandfathered subject to the new rule, including those provisions governing band allocation, licensed service area, services and exclusivity of

No. of Copies rec'd 021
List A B C D E

REED SMITH SHAW & MCCLAY

Mr. William F. Caton
December 12, 1994
Page 2

licensed operations for that area. Auctions would not be held for grandfathered areas.

Services:

Services permitted under the new rules can be interconnected.

Various of the undersigned have previously provided formal and informal comments in connection with these positions and will supplement the record as necessary in support thereof.

Respectfully submitted,


Robert E. Smith, Esq. for
MobileVision, Inc.


Kathleen E. Kennedy for
Airtouch Teletrac


Neil Buyer for
Uniplex Corporation

JJM/agw

cc: Chairman Reed E. Hundt
Commissioner Andrew C. Barrett
Commissioner Rachelle B. Chong
Commissioner Susan Neus
Commissioner James H. Quello
Attached Service List

CERTIFICATE OF SERVICE

I, América G. Wear, hereby certify that copies of the foregoing **Ex Parte** filing were forwarded this 13th day of December, 1994 by U.S. first-class mail to the following individuals:

- * Chairman Reed E. Hundt
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554
- * Commissioner Andrew C. Barrett
Federal Communications Commission
1919 M Street, NW, Room 826
Washington, DC 20554
- * Commissioner Rachelle B. Chong
Federal Communications Commission
1919 M Street, NW, Room 844
Washington, DC 20554
- * Commissioner Susan Ness
Federal Communications Commission
1919 M Street, NW, Room 832
Washington, DC 20554
- * Commissioner James H. Quello
Federal Communications Commission
1919 M Street, NW, Room 802
Washington, DC 20554
- * Ruth Milkman
Senior Legal Advisor
Office of the Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

- * Lauren J. Belvin
Senior Legal Advisor
Rudolfo M. Baca
Legal Advisor
Office of Commissioner James H. Quello
Federal Communications Commission
1919 M Street, NW, Room 802
Washington, DC 20554
- * David R. Siddall
Office of Commissioner Susan Ness
Federal Communications Commission
1919 M Street, NW, Room 832
Washington, DC 20554
- * Jill M. Luckett
Office of Commissioner Rachelle B. Chong
Federal Communications Commission
1919 M Street, NW, Room 844
Washington, DC 20554
- * James R. Coltharp
Office of Commissioner Andrew Barrett
Federal Communications Commission
1919 M Street, NW, Room 826
Washington, DC 20554
- * F. Ronald Netro
Engineering Assistant to the Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW, Room 5002
Washington, DC 20554
- * Rosalind K. Allen, Acting Chief
Land Mobile & Microwave Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW, Room 5202
Washington, DC 20554
- * Martin D. Liebman, Deputy Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW, Room 5126
Washington, DC 20554

Bruce A. Franca, Deputy Chief Engineer
Office of Engineering and Technology
Federal Communications Commission
2025 M Street, NW, Room 7002-A
Washington, DC 20554

Richard B. Engelman, Chief
Technical Standards Branch
Office of Engineering and Technology
Federal Communications Commission
2025 M Street, NW, Room 7122-B
Washington, DC 20554

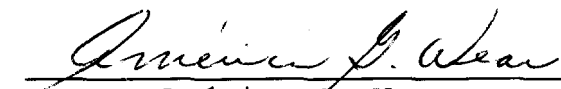
David E. Hilliard, Esq.
Wiley, Rein & Fielding
1776 K Street, NW
Washington, DC 20006

Kathleen Abernathy, Esq.
AirTouch Communications
1818 N Street, NW
Washington, DC 20036

Louis Gurman, Esq.
Gurman Kirtis Blask &
Freedman, Chartered
1400 16th Street, NW
Suite 500
Washington, DC 20036

Henry M. Rivera, Esq.
Larry S. Solomon, Esq.
Ginsburg, Feldman & Bress
1250 Connecticut Avenue, NW
Washington, DC 20036

Henry Goldberg, Esq.
Henrietta Wright, Esq.
Goldberg & Spector
1229 19th Street, NW
Washington, DC 20036


America G. Wear